Dublin Statement on the Process of Strengthening the United Nations Human Rights Treaty Body System:

Response by non-governmental organizations

November 2010

Introduction

This paper is presented by 20 non-governmental organizations (NGOs) who contribute directly to many aspects of the work of the treaty bodies, including by encouraging national partners in their use of the system. We share a common goal in wanting to enable individuals to better enjoy their rights under the international human rights treaties, and we are therefore keen for the treaty bodies to develop into a system that can effectively support this aim.

Since its adoption in November 2009, the Dublin Statement has been a catalyst for stake-holders to reflect on how the current treaty body system could be further enhanced. We welcome the Dublin Statement initiative and endorse many of the principles contained therein. We welcome also the commitments contained in the Marrakech Statement of national human rights institutions of June 2010, and the new proposals developed by treaty body experts as reflected in the Poznan Statement of October 2010. We believe that the reform discussions will be greatly enriched by input from national NGOs and we therefore encourage the Office of the High Commissioner for Human Rights (OHCHR), including its regional offices, to ensure that national NGOs are consulted in this process, and we urge national partners to submit their recommendations to the OHCHR and to the treaty bodies.

On the first anniversary of the adoption of the Dublin Statement, we present our initial comments on the parameters, methods and objectives of reform as contained in that document, and offer some proposals for strengthening the treaty bodies. Some of these build on the recommendations to enhance the relationship between NGOs and the treaty bodies that were presented to the 9th Inter-Committee Meeting in June 2009, in a document entitled "*United Nations: 9th Inter-Committee Meeting of the treaty bodies – contribution of non-governmental organizations*" (AI Index: IOR 40/006/2009).

Reform of the treaty bodies is an on-going process to ensure effectiveness of a system which is continually growing in size and complexity. Yet changes in structure and working methods will only ever go so far towards enhanced human rights protection on the ground. Governments also have to meet their primary obligation to ensure the effective realization of rights.

We call on States which have not yet done so to ratify or accede to the international human rights treaties and their protocols and to do so without entering reservations that limit their obligations. We urge States to accept the treaty bodies' communications procedures and confidential inquiries procedures. Furthermore, we encourage all States to fulfil their obligations as parties to the international human rights treaties in good faith – by implementing, and keeping under review, laws, policies and practices which are in accordance with the treaties, by providing effective remedies when rights are violated, preparing timely and relevant reports for the treaty bodies after a process of thorough national consultations, and reflecting recommendations from treaty bodies in national implementation plans and other national human rights frameworks.

This paper contains 30 recommendations to the treaty bodies, the OHCHR and States. These are summarized at the end of the document. It also contains a list of signatory NGOs and the commitment of our organizations to engagement with the treaty bodies. We look forward to participating in and contributing to continued discussions of treaty body reform.

Principles to guide reform of the treaty bodies

1. Reform of the treaty bodies should aim at **strengthening the capacity of rights-holders** to enjoy their human rights. Consequently, it is important treaty body processes, working methods and outputs are accessible to a broad range of stakeholders, including individuals, NGOs and national human rights institutions. The differences between the treaty bodies make the current system difficult for many NGOs and individuals to penetrate. We therefore recommend:
    - the continuation of efforts towards harmonization of working methods which build on best practice in terms of making the system accessible; and
    - the development of common methods for NGO reporting and participation across all treaty bodies which give adequate opportunity for NGOs to contribute throughout the formal process.

    Substantively, reform which incorporates a rights-holder approach results in much greater emphasis on implementation, with treaty body activity directed toward that effort and evaluated in that context. We support this approach.

2. The current reform debates would benefit from **increased information and data** on the work of the treaty bodies to allow for a proper identification of shortcomings and challenges, and for this information to be widely available and in accessible formats. While many of the accomplishments of the treaty body system are real and measurable, there are also misconceptions and overlooked successes. For example, we have identified the following areas as requiring more information and analysis:
    - Use of the individual complaint procedure (not only by country and region, but also alleged rights violation)
    - Global overview of States' reporting status
    - Output (number of State reports reviewed, number of individual communications, including number of communications received, number of admissible cases, number of cases in which one or more violations were found and the nature of those violations, as well as those where the treaty was not found to have been breached).

    A knowledge-based reform approach should take account of how well existing practices have been tested and evaluated, including the level of civil society engagement and accessibility in those processes.

3. The reform effort needs to result in the availability of **increased resources** for the treaty bodies, including through the provision of more funding from the regular budget. The chronic deficiency of resources hampers the ability of the treaty bodies to function effectively and efficiently and threatens to undermine future initiatives. At the same time, we recommend that the OHCHR and treaty bodies consider how to make better use of existing resources. For example, should treaty body meeting time be determined according to the number of states which are party to the treaty and submitting their reports, and the number of individual communications received? Given costs associated with the production and translation of reports, how can States be encouraged to adhere to page limitations?

4. Supporting the treaty bodies also means **increasing the capacity of the secretariat to support the treaty bodies** by recruiting and retaining staff who can develop a strong institutional knowledge, including about the committee to which they are assigned. The secretariat must be able to make sure that the treaty bodies consistently apply the most progressive and updated interpretations and standards, and that inconsistencies between the treaty bodies' jurisprudence and recommendations are minimized.

Proposals for reform

ACCESSING THE SYSTEM AND MAKING THE TREATY BODIES MORE VISIBLE:

5. All committees should be **easily accessible** to persons with disabilities, not only the Committee on the Rights of Persons with Disabilities (CRPD). An accessibility audit should be carried out across treaty bodies for their websites and other dissemination of information, civil society participation, dialogue with States parties, and physical premises.

6. It could be useful for some of the treaty bodies to **hold an occasional meeting outside of Geneva,** and particularly outside of Europe and New York. A main goal of doing so would be to increase access by national actors, including NGOs, to the treaty bodies, so possible benefits and disadvantages would need to be measured against this criteria. Also, the locations would need to be selected to ensure that NGOs would be able to travel to the countries concerned with minimal difficulties. The regional meetings would need to be organized through the OHCHR regional offices and would require significant advance planning, particularly around the scheduling of States parties reports (see below). We note that the Human Rights Committee (HRC) and Committee on the Elimination of Discrimination against Women (CEDAW) meet annually outside of Geneva already, and are perhaps best placed to organize a session in a different region on an experimental basis.

Planning:

7. **Advance notice of treaty body examinations of State reports and other important opportunities for civil society input** has a significant impact on the ability of civil society, including NGOs, to engage with the system, as has been demonstrated by the Universal Periodic Review (UPR) process. The treaty bodies could set their schedule to consider States parties reports for at least 2 years in advance, if not longer. Given that 6 treaty bodies have at least 20 reports pending examination, this should be possible to do. In situations where there are only a few reports awaiting consideration, the treaty bodies should still schedule the consideration of a report on the basis of periodicity, including for non-reporting States, or the date specified in the most recent concluding observations.

   The more notice of a consideration, the greater the chance of a State putting in place a proper process of national consultation as part of the preparation of the State report,

and the more opportunity there is for civil society to engage in the process. The overwhelming number of States have responded well to the UPR schedule, by preparing written reports and submitting them on time. This suggests that they would be able to submit their reports to the treaty bodies as well.

8. NGOs have requested a **"master calendar**" for several years now as a valuable planning tool. This would provide not only dates of consideration of State party reports, but also deadlines for receipt of NGO information, including for the list of issues and list of issues prior to reporting, for input to the drafting of general comments, and deadlines for follow-up information. Regional and national offices of the OHCHR should help to disseminate such a calendar, and reach out to civil society and national human rights institutions to encourage them to engage in timely fashion and effectively with the treaty bodies.

Communications:

Some innovative measures have been taken in relation to the Human Rights Council to increase its visibility and accessibility, including for NGOs. Building on this experience, we propose that the OHCHR develop an overall **communication strategy** for all of the treaty bodies which takes into account the following recommendations:

9. The OHCHR and treaty bodies should consider how their **webpages** may be better used and whether they are as accessible and user-friendly as possible. The webpages should enable users to find all country-related and key thematic material in one place, and should each have a good search engine.

10. Reform efforts must take into account **technological advances** and incorporate them into treaty body processes. We recommend that the High Commissioner for Human Rights (HCHR) appoint a senior adviser to work with the OHCHR and the treaty bodies to ensure the resilience of the system, to take better advantage of new technologies, and to provide strategic direction to the treaty body system's use of technology. As well as the many advantages that technology brings, it can also represent a threat – due consideration must be given to security of information to protect the confidentiality of personal information in the system where that is required.

    In some states, there are more **mobile phones** than other media. For stakeholders in these countries, websites and printed pamphlets may have limited value, whereas text message could be used to alert stake-holders to the existence of new treaty body decisions and relevant recommendations, as well as the scheduling of a report. Experience from the SMS alerts issued for the Human Rights Council could be useful in this regard. In addition, we encourage OHCHR to expand the e-mail distribution lists in order to encourage engagement by a wider selection of NGOs. This is particularly crucial for notification of upcoming committee meetings.

Webcasting of treaty body sessions would enable stakeholders, particularly at the national level, to follow the process, and as an interim measure audio recordings could be made available.

The treaty bodies should continue to be open to engaging with NGOs via new technologies, such as Skype, or through video-conferencing. Conscious efforts should be made to ensure that the use of new technologies, such as webcasting, or video links, does not create new barriers to accessibility for persons with disabilities.

11. It is well-known that the UPR was to have reviewed 144 countries during the first three years of its first cycle, between April 2008 and the end of 2010. Yet it is relatively unknown that the treaty bodies will have reviewed at least one report from over 200 States parties reports in that same time period (excludes activity by the Sub-Committee on Prevention of Torture). Strategies aimed at giving greater profile to the diversity, possibilities and value of the treaty body system must be developed. This includes dissemination of **information** about the Committees meetings and activities. To that end, the OHCHR initiative to produce a regular *Newsletter of the Human Rights Treaties Division* that is available on the website is a positive initiative. It would be extremely useful to have the Newsletter available in UN languages in addition to English.

12. The early **translation** of treaty body documentation is key to making the process accessible, particularly for stake-holders at the national level. However, it is becoming increasingly difficult to organize translations, and in some cases this threatens to undermine the dialogue between the committees and the States parties. We therefore favour a system of prioritization whereby documentation of the State Parties and the committees is translated at least in the first instance according to the most relevant UN language(s) of the State under examination. States could also be encouraged to submit their reports in at least two official UN languages.

REPRISALS

13. We urge all committees to pay close attention to incidents of reprisals against individuals, their families or organizations who provide information or bring communications to the treaty bodies. We welcome the attention paid to possible reprisals recently by the HRC, the Committee against Torture (CAT) and the CEDAW. All treaty bodies could consider what further measures should be put in place to protect individuals interacting with them with a view to preventing reprisals. These could include the following:

- Understand and respect the confidentiality of NGO reports and names of organizations in any dialogue with States where confidentiality has been requested;
- take speedy action in cases of reprisals by reporting such instances to the relevant Special Procedures, such as the Special Rapporteurs on human rights defenders and on freedom of opinion and expression, who can issue an urgent appeal to the government concerned;

- alert the HCHR to incidents of reprisals to take up such cases with the State party concerned and to ensure that the incidents are included in the Secretary-General's annual report on reprisals to the Human Rights Council;
- request interim measures;
- at least one treaty body – the HRC – has appointed a focal point with responsibility for monitoring reprisals. All of the committees should designate a member, or members, to make specific checks on the situation of any individuals and NGOs who may face particular threats;
- as relevant, the treaty bodies could include language in their concluding observations to clarify the need for on-going monitoring in cases where there is a fear of reprisal;
- as part of their follow-up efforts, all treaty bodies should, as a matter of course, ask the State party to provide information confirming that individuals and NGOs were not targeted as a result of their interaction with the committee.

ENHANCING THE MEMBERSHIP OF THE TREATY BODIES

14. The need to improve the membership of the treaty bodies has been a recurring theme of past reform discussions, and one on which there is consensus. We urge all States parties to pay particular attention to their responsibilities in this regard, by building on best practice from within and outside the UN system in developing national nomination processes.

Specifically, we make the following recommendations to States:

- Each state should nominate candidates taking full consideration of the criteria established in the relevant treaty at a minimum, and ensure the nomination of candidates with practical experience in human rights and a high degree of expertise relevant to the work of the committee concerned.
- Each state should create a standing body that is mandated to draw treaty body vacancies to the attention of potentially interested persons. States should establish an open, transparent and inclusive process at the national level to identify and nominate candidates to treaty bodies.
- Under the Convention on the Rights of Persons with Disabilities, states are obliged, at the national level, to consult with civil society. This provides a useful model that all States can build on by facilitating the participation of civil society organizations and parliamentary bodies with relevant knowledge and expertise at all stages of the nominations procedure. In particular, civil society can assist in obtaining applications from highly qualified candidates and providing information on how the applicants meet the criteria.
- Each State should publicly announce its nomination(s) at the earliest possible time and also disseminate information about the candidates' qualifications and how they meet the required criteria. States parties must meet the deadlines established for nomination of candidates and those deadlines should be enforced by OHCHR.
- Each State should refrain from nominating candidates for whom holding the position of "independent expert" on a treaty body is a conflict interest. In particular, states should not nominate individuals who hold any position within

government or another organization that could compromise their impartiality and independence.

- Each State should review the knowledge, diversity, geographical and gender balance in the committee's composition before every election takes place. Indeed, States parties could adopt criteria that ensure better balance, for example with regard to gender. States should bear these factors in mind when voting.
- In particular, and given the significant disparity between men and women serving currently on the treaty bodies, specific measures should be taken to encourage women to apply for treaty body positions.
- Each State should also support the candidature of under-represented groups such as persons with disabilities, persons from minority, ethnic and indigenous groups, across all treaty bodies.
- The use of "clean slates" undermines the election process. States should ensure that there are more candidates than the number of seats to be filled and that there is the broadest pool of candidates from which to make a selection.
- States should vote only for candidates who meet the highest standards of knowledge, experience and independence.
- We believe that the practice of a nominating State being responsible for filling vacancies arising on a committee due to death or resignation from among its nationals could run counter to the notion of selecting the best candidate for treaty body positions. We are also concerned that States ensure that any vacancies arising on a committee due to resignation or death or a member are filled within the shortest possible time.

15. We welcome the recommendations made in the Poznan Statement by the treaty body experts regarding membership and encourage the **Chairpersons** to prepare the proposed guidelines on eligibility and independence of experts. We also recommend to the **treaty bodies** that when elections are being organized, the committee concerned provide State parties with information on the required skills/expertise and indicate any imbalances in the current membership in order to assist states in making their selection.

16. To support the election process, we recommend that the **OHCHR** publicize vacancies sufficiently in advance to make the nomination deadlines meaningful. On the basis of its experience and in light of committee profiles, the OHCHR could further develop the criteria contained in the treaties to provide guidance to States parties at the time of nominations.

17. Further, we propose that the **HCHR** prepare a detailed reflections paper on options for improving treaty body membership, including the identification of good practices in electoral procedures for other international and regional expert bodies.

TREATY BODY ACTIVITIES

18. The initiative to produce an expanded "**common core document",** in addition to a treaty specific periodic report, came from previous reform discussions and was conceived as a tool to enhance state reporting by capturing in one place substantive

treaty provisions congruent to all or several treaties, together with other information of general interest. This was to relieve States of some of the "reporting burden" associated with preparing initial and periodic reports to a number of treaty bodies. However, very few states have produced a core document and the contents is uneven in those core documents that have been prepared. We recommend that the treaty bodies evaluate the contents and use of the common core document and consider whether it is an effective use of resources, or whether there are other cheaper ways to present this information and keep it regularly updated.

19. We cautiously welcome steps taken by some of the treaty bodies to encourage better focused States parties reports, by developing a **List of Issues Prior to Reporting** to form the basis of the State party's report. We are concerned that this new procedure is dependent on the committees having comprehensive information on which to base the List of Issues, and that this will require significant preparation on the part of both the OHCHR and the committees. Good preparation requires input from civil society from the earliest stages which is why maximum advance notification must be provided and deadlines must be publicly available. The HRC has established a 9 month deadline for NGOs to be informed about States parties selected for the List of Issues Priority to Reporting, and this could be a useful model. The new procedure appears to be very popular among States – if it results in the submission of increased numbers of States parties reports, there will be implications for the committees' ability to review those reports in timely fashion. We note that a qualitative assessment of the new procedures will need to be done before it is extended to other treaty bodies, and particularly in relation to the information provided by States. NGO input to the assessment would also be useful.

20. Although there does not appear to have been a noticeable increase in overdue reports in recent years, we nevertheless encourage all treaty bodies to address **lack of State fulfilment of cooperation** with the reporting obligations. Too many States have evaded treaty body scrutiny for too long, in some cases for more than a decade. Yet, as the UPR has shown, States can submit reports on time if the political will exists to do so. We believe that resources and mechanisms for reviewing states in the absence of a report should be built into the system, while strategies to encourage States to meet their reporting obligations need to be considered. Measures might include considering the situation in a state in the absence of a report and/or delegation, designating a member of the committee to meet with the permanent representative of the State concerned to identify any specific problems in preparing the report(s); and drawing the attention of the General Assembly and the HCHR to those states that chronically fail to meet their reporting obligations.

21. The **individual communications** procedures, in most cases, have been under-utilized, and would benefit from increased visibility. We recommend improving access and search functions for individual communications on the OHCHR website, and for the OHCHR to produce a brief summary of the individual communications adopted at the end of relevant treaty body sessions. NGOs may have information regarding implementation of decisions which could usefully be shared with the relevant treaty body.

22. **General comments** can have significant importance in the development of international human rights law, and are used widely by NGOs in their advocacy. Yet the process by which a committee takes a strategic decision to elaborate a general comment is not always clear and the way general comments are prioritized, instigated and developed differs between the committees. We encourage the treaty bodies to consider adopting a consistent, open and transparent procedure for the drafting of and consultation on general comments with the following elements:

- soliciting and considering NGO contributions, including suggestions about which articles are most problematic and in need of the committees' interpretation;
- posting NGO, specialized agency and other comments on the treaty body's website; and
- holding public discussion on draft general comments during sessions, with the opportunity for NGOs to intervene.

We believe that the treaty bodies should improve coordination when elaborating and updating their general comments in an effort to ensure that general comments are coherent and reflective of on-going developments in international human rights standards. This could be through the coordinated review of existing general comments; soliciting comments from other relevant treaty bodies on draft general comments; if feasible and desirable, the development of joint general comments; or other forms of collaboration. For example, where treaty bodies' mandates overlap with the mandate of the new CRPD, it would be an opportunity for treaty bodies to work together to conduct a review of past general comments which may not represent the last human rights standards as inscribed in the CRPD.

23. **Follow up** on implementation of treaty body recommendations, including concluding observations, is one of the least developed areas of the treaty bodies activities and should be further strengthened and harmonized. Efforts to pursue implementation of priority concluding observations are useful, and many more NGOs could be encouraged by the treaty bodies to engage with this procedure and to use it to advocate for implementation. Through follow up procedures, the treaty bodies can have a public dialogue with States parties during the (usually lengthy) periods between consideration of reports, and can encourage and measure implementation. Follow up could provide a more qualitative assessment of the implementation of the treaty bodies' recommendations. This would enable the committees to have a more detailed and interactive role in guiding the implementation of the recommendation.

24. Follow up procedures could include a variety of different methods, such as **country visits** by a member, or members, of at least one treaty body. In some situations, it might be effective to have a joint mission by more than one treaty body. Some of our organizations have observed the very real benefits country visits bring, particularly in terms of engaging relevant government ministries and national partners.

25. Most of the committees are developing follow up procedures which aim to assess the implementation of key recommendations one or two years after the review. If all the treaty bodies adopted similar follow up processes it could be possible for them to

coordinate and engage the State on follow up. Prioritizing follow up over continuous reporting could strengthen implementation, and better utilize limited resources. In this regard, the Inter-Committee Meeting's (ICM) Working Group on follow up, which will convene in January 2011, could be an initial step towards an inter-body mechanism. Depending on how these initiatives develop and in future, consideration could be given to the creation of a specific **treaty body follow up mechanism** for all treaty bodies, in the form of dedicated Treaty Body Follow Up Coordination Unit or a senior level Treaty Body Follow Up Coordinator post within OHCHR. In addition to following up directly with States parties, this unit or individual would promote follow up among different branches and divisions within OHCHR, including those working on the UPR, and with other relevant UN partners.

TOWARDS A SYSTEM: COORDINATION AMONG THE TREATY BODIES

26. Despite the annual ICMs and Meetings of Treaty Body Chairpersons, we believe there is a need for the treaty bodies to find better ways and means to increase and improve their collaboration. The ICM and chairpersons meetings have been limited by the participants' not being mandated to act on behalf of their committees, thus making it very difficult to make progress, even in relation to fairly simple matters of working methods.

The ICM can be a much more useful vehicle when a focused agenda is established in advance and the treaty body experts who participate have the requisite knowledge and a mandate to take decisions. To that extent, we welcome the initiative to form working groups consisting of treaty body members, such as the Working Group on follow up that will meet in 2011. We hope that this will result in some cross-committee decisions to harmonize at least some aspects of their procedures.

Meanwhile, the need for increased coordination is growing. Opportunities to input to, for example, UPR considerations, on-going activities of OHCHR in-country offices, and UN Summits and conferences, present prime opportunities for the treaty bodies to identify key priorities which cut across many or all of the committees' work. In addition some urgent situations benefit from cross-treaty body action, which might take the form of a public statement. There are also issues on which it would be useful for the treaty bodies to develop some joint declarations – for example, the importance of States parties facilitating early civil society input to the reporting procedure, or reprisals.

27. We encourage all committees to ensure that their Chairpersons and/or other relevant experts **are able to take decisions** in respect of working methods and procedures in the context of ICMs and annual meetings. We urge all committees to set up the necessary arrangements to ensure that inter-sessional actions can also be undertaken as required. We recommend that the treaty bodies consider how they can develop a **coordinated** approach to other human rights mechanisms to yield greater impact, including at the national level.

COMPLIMENTARITY WITH UPR MECHANISM

28. The UPR can contribute to the overall goals of the treaty bodies by providing a vehicle through which the State under review can be encouraged to give increased attention to their concluding observations, ratify or accede to treaties, withdraw reservations, submit overdue reports, etc. It is important that synergies between the UPR and treaty bodies are maximized but not at the expense of States parties' legal obligations, or through the undermining of treaty body recommendations or distortion of priorities. The regular sharing of information is key to ensuring that the UPR process is informed by the work of the treaty bodies, and that the treaty bodies are also aware of recommendations made in the context of the UPR and follow up accordingly (on both those recommendations accepted and those rejected). Both systems should work in concert to improve human rights on the ground. Concluding observations crafted with specificity would increase their effectiveness as contributions to the UPR, as would prioritization of treaty body recommendations overall.

COOPERATION WITH SPECIAL PROCEDURES

29. We welcome efforts to improve information exchange between treaty bodies and the special procedures. Where there is an on-going overlap between mandates of treaty bodies and special procedures, we encourage regular consultations, for example, as happens with the Special Rapporteur on torture meeting with the CAT and the Sub-Committee on Prevention of Torture.

In drafting Lists of Issues, preparing questions for dialogue and crafting concluding observations and general comments, treaty bodies should take account of the reports and recommendations made by *all* special procedures whose mandates are of direct relevance to the treaty, and not just those where there is an obvious link. There is also more scope for both treaty bodies and special procedures to be following up on each others recommendations. The treaty bodies and special procedures should consider how to make best use of their joint annual meeting, which could be focused on practical questions of cooperation.

OTHER UN PARTNERS

30. We welcome the call for increased participation of UN agencies and other entities in supporting the treaty body system as part of the overall effort to mainstream human rights concerns. By integrating treaty body recommendations into their work at the national level – as UNICEF does in relation to the Committee on the Rights of the Child – UN agencies on the ground can make a key contribution to supporting implementation. In doing so, it is important that UN agencies understand and use the interpretation of States' obligations as provided by the treaty bodies. The experience of the UN Country Team in Albania in contributing to, and following up on, two recent treaty body considerations indicates the potential for greater cooperation.

NGO COMMITMENTS TO ENGAGEMENT WITH THE TREATY BODIES

We are committed to promoting the effective implementation of international human rights law, and to working with and supporting the treaty bodies for increased human rights protection at the national level.

We note that many committees encourage joint NGO submissions. While we appreciate the advantages of this approach for the treaty bodies, and in many cases for the NGOs themselves, we nevertheless consider it important that committee members hear directly from all stakeholders, because a healthy process invites differing views. We acknowledge that improving the quality of reporting from both Coalitions and NGOs submitting independently could well improve the quality of reporting from NGOs overall.

Expertise – Our organizations are committed to bringing expertise and information on particular regions, thematic issues or countries to the treaty bodies. We engage with all aspects of the treaty bodies' work including providing information for list of issues, the examination of State reports, consideration of individual communications, inquiry procedures, the Committee on the Elimination of Racial Discrimination's early warning procedure, the development of general comments/recommendations, briefings with the committees, and through monitoring and reporting on implementation of recommendations.

Awareness raising – In light of the importance of NGOs having access to information and skills to be able to effectively use the treaty bodies, and to complement the work of the OHCHR, we are committed to continuing to raise awareness of the mandates, functions and work of the treaty bodies through dissemination of information about upcoming sessions to organizations that could submit information to the treaty bodies, and dissemination of summaries and analysis of the sessions.

Support for NGOs – We are committed to supporting the engagement of other NGOs and civil society organizations with the treaty bodies. We will work to strengthen the capacity of NGOs to engage with the treaty bodies through trainings and workshops as well as strategic and practical advice. Some of our organizations provide direct support to NGOs in the drafting of reports to the treaty bodies and in using the individual communication/complaints mechanisms.

Access – We acknowledge that many NGOs are not able to access adequate financial resources for their work with the treaty bodies. We will strengthen our efforts to support human rights defenders in attending treaty body sessions.

Committee membership – We believe that the membership of the treaty bodies is an important factor affecting the effectiveness of the system. We are committed to encouraging improvements in the election process, including through promoting and contributing to a transparent nomination process at the national level. We will increase our efforts to provide information about upcoming elections, the qualifications and requirements for treaty body members, and the profile of candidates where possible to assist State parties to make informed choices when casting their votes.

Continued enhancement – We share a commitment to continuing improvements in the procedures and products of the treaty bodies and their accessibility to human rights defenders and NGOs. We will therefore continue to be actively engaged in discussions on treaty body reform and reach out to national NGOs that have engaged with the treaty bodies to ensure their involvement in the process.

SUMMARY OF MAIN RECOMMENDATIONS

The following main recommendations are addressed in more detail in this document.

We recommend that the treaty bodies:

- Continue efforts towards harmonization of working methods and the development of common methods for NGO reporting and participation
- Establish and publicize their schedule for consideration of state reports at least 2 years in advance
- Pay attention to incidents of reprisals and take measures to protect individuals interacting with them or contributing to the treaty body process
- Evaluate the extent to which the common core document has enhanced state reporting and whether it is an effective use of resources
- Assess the new procedure for developing a "list of issues prior to reporting", including by inviting NGO evaluation. Ensure NGOs have maximum opportunity to input at the earliest stages of this procedure
- Address the lack of states compliance with their reporting obligations
- Give increased visibility to individual communications procedures, including in the context of reform discussions
- Consider adopting a consistent, open and transparent procedure for drafting and consulting on general comments
- Continue to develop methods of follow up, and consider a range of options in encouraging implementation, such as country visits
- Ensure that committee chairpersons and those attending ICMs are mandated to take decisions in respect of working methods and procedures
- Consider how the UPR can contribute to the overall goals of the treaty bodies, and how the committees can craft concluding observations and determine overall priorities to input to the UPR process. Follow up on outcomes from the UPR process, as relevant.
- Continue to work with relevant special procedures, take account of their recommendations and follow up on these as relevant. Consider how to make best use of the joint annual meeting between treaty body chairpersons and the special procedure mandate-holders.
- Continue to explore the potential for cooperation with UN agencies and other UN bodies, including Country Teams.

In addition:

- Some committees should consider the usefulness of holding occasional treaty body meetings outside of Geneva in order to increase access by national actors, including NGOs; and
- We encourage the chairpersons to prepare guidelines on eligibility and independence of treaty body experts.

We recommend that the High Commissioner for Human Rights and her Office:

- Increase the capacity of the secretariat to support the treaty bodies by recruiting staff who can develop a strong institutional knowledge, ensure that the treaty bodies apply the most progressive and updated interpretations and standards, and minimize inconsistencies.

- Prepare and make available a "master calendar" to provide all treaty body–related dates and deadlines in one place
- Develop an overall communications strategy, which takes into account the need for improved web pages with good search functions, as well as other technological advances, such as webcasting
- Prioritize document translations so that document are available as early as possible and in the first instance, according to the most relevant UN language of the State
- Publicize vacancies in advance of elections to the treaty bodies and encourage States parties to respect all deadlines in this process
- Prepare a detailed reflections paper on options for improving treaty body membership
- Increase visibility of individual communications on the website, including by improving access and search functions of views
- Depending on the outcome of initiatives such as the forthcoming ICM working group on follow up meeting, consider the creation of a specific treaty body follow up coordinator or unit
- Ensure that there is no undermining of international human rights treaties, the treaty bodies' recommendations or distortion of priorities in the UPR process.

We recommend that States parties:

- Ratify or accede to the international human rights treaties without entering limiting reservations, accept communications procedures as well as confidential inquiries procedures, and implement their obligations in good faith
- Prepare timely and relevant reports after a process of national consultation with all domestic stake-holders as part of the preparation of the State report
- Ensure that the treaty bodies' recommendations are reflected in national implementation plans
- Pay attention to their responsibilities for nominating and electing women and men who meet the criteria established in the treaties, at a minimum. All States parties should establish a national process for the selection of nominees that is open, transparent and inclusive, and should refrain from voting for candidates who do not meet the highest standards of independence, impartiality and expertise.

We recommend that all treaty bodies, the OHCHR and States parties:

- Ensure that reform efforts result in increased capacity of rights-holders to enjoy their human rights; and
- Carry out an accessibility audit to ensure that all committees are easily accessible to persons with disabilities through their websites, dissemination of information, participation, dialogue with states and physical premises.

Signatory organizations:

Advocates for Human Rights

Alkarama

Amnesty International

ARC International

Association for the Prevention of Torture

Centre for Civil and Political Rights

Centro de Estudios Legales y Sociales (CELS)

Center on Housing Rights and Evictions (COHRE)

Federation International de L'Acat (FIACAT)

Human Rights House Foundation

Human Rights Watch

International Commission of Jurists

International Disability Alliance, whose member organizations are: Disabled Peoples' International, Inclusion International, Down Syndrome International, International Federation of Hard of Hearing people, Rehabilitation International, World Blind Union, World Federation of the Deaf, World Federation of the Deaf Blind, World Network of Users and Survivors of Psychiatry, Arab Organization of Disabled People, European Disability Forum, Pacific Disability Forum, Red Latinoamericana de Organizaciones no Gubernamentales de Personas con Disacpacidad y sus familias (RIADIS)

International Federation for Human Rights (FIDH)

International Rehabilitation Council for Torture Victims (IRCT)

International Service for Human Rights

International Women's Rights Action Watch Asia Pacific

International Women's Rights Action Watch

Mental Disability Advocacy Centre

NGO Group for the CRC

World Organisation against Torture (OMCT)